

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

**CHANTE ROCHFORD a/n/f of JOZIAH ROCHFORD,  
ASHLEY HENDERSON, individually and as n/o/f of  
OMERAH ROCHFORD, and WUANISHA THOMAS,**

**Plaintiffs,**

v.

**Case 1:22-cv-00056 SCY/JHR**

**ROCKY LUERA AND BECTON, DICKINSON  
AND COMPANY,**

**Defendants.**

**ORDER APPOINTING GUARDIAN AD LITEM**

THIS MATTER came before the Court on the Plaintiff's Unopposed Motion for Appointment of Guardian *ad Litem*. The Court, having reviewed the Motion and being otherwise fully informed, FINDS good cause exists to appoint Lucinda R. Silva as Guardian ad Litem for minor Plaintiffs Joziah Rochford and Omerah Rochford and, therefore, the Motion is GRANTED.

It is therefore ORDERED, ADJUDGED, and DECREED as follows:

1. Lucinda R. Silva is hereby appointed as Guardian *ad Litem* for Plaintiffs Joziah Rochford, a minor, and Omerah Rochford, a minor;
2. The Guardian *ad Litem* shall file an Acceptance of Appointment with the Court, and upon such filing, she shall be deemed a party entitled to participate, to have notice of all proceedings, and to receive copies of all pleadings and correspondence among the parties. If the designated Guardian *ad Litem* is unable or unwilling to serve, she shall so inform the Court, and the Court will appoint a substitute.

3. The Guardian *ad Litem* shall be deemed an arm and friend of the Court to assist the Court in discharging its duties to the minor children. The Guardian *ad Litem* shall conduct an independent investigation of all matters relevant to the issues in this case, shall report to the parties and to the Court her conclusions with respect to such investigation, and shall undertake whatever formal or other actions she deems necessary or appropriate to implement her conclusions in connection with this action.

4. At any hearing in this case, the Guardian *ad Litem* will be entitled to testify as a witness or may informally report to the Court on the nature and scope of her investigation, her conclusions, and her recommendations.

5. The Guardian *ad Litem* shall have access to all medical and other records of the children which are relevant to the issues in this case.

6. There are strong public policy reasons to grant immunity to the Guardian *ad Litem* in this case, who is acting as an “Arm of the Court” and is performing an essential role in this Court’s administration of justice. All immunities and privileges available to the Guardian *ad Litem*, as articulated by the Tenth Circuit in *Dahl v. Charles F. Dahl, M.D., P.C. Defined Ben. Pension Tr.*, 744 F.3d 623, 630 (10th Cir. 2014) shall be extended to the Guardian *ad Litem* in this matter, and such Guardian *ad Litem*, Lucinda R. Silva, shall be absolutely immune from any liability for her actions taken pursuant to this appointment, insofar as her conduct in the case is as a result of an investigation on behalf of this Court into the fairness and reasonableness of the settlement and its effect on the minor children.

7. Based upon agreement of the parties hereto, it is hereby ordered that the fees for the services of the Guardian *ad Litem* shall be borne by Defendants.



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JERRY H. RITTER  
U.S. MAGISTRATE JUDGE